

IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.261 of 2007
RAKESH KUMAR SHARMA
Versus
THE STATE OF BIHAR & ORS

6 8.8.2008

Heard counsel for the petitioner and the State.

The petitioner has filed the instant writ petition seeking a direction to respondent no.4 to arrest respondents 8 and 9 namely namely Veena Kumari wife of Shri Ashwani Kumar and Ashwani Kumar son of Late Balbhadra Singh who are absconding despite of issuance of non-bailable warrant way back on 3.3.2006. Thereafter by various orders the Magistrate directed the authorities to arrest respondents 8 and 9.

Learned counsel for the petitioner submits that they are not being arrested as they happened to be relative of Sub Inspector of Police, respondent no.6.

A supplementary counter affidavit has been filed on behalf of the State stating therein that process under sections 82 and 83 Cr.P.C. has already been directed and all efforts are being taken to arrest the absconding accused persons. It is submitted that attachment orders have also been annexed as contained in C and C/1.

A warrant once issued by a court more so after issuance of process under section 82 Cr.P.C. remain in force unless the same is executed or the same is recalled by the court concerned.

Having heard counsel for the parties, this writ petition is disposed of with a direction to the official respondents particularly respondent no.6 to take all steps to arrest the absconding accused persons i. e respondents 8 and 9, at the earliest.

Let a copy of this order be communicated to the Senior Superintendent of Police, Patna for the needful.

(S.P.Singh,J)

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